

ORDER OF DISMISSAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAUL UVALLES,

Plaintiff,

v.

FRANCISCO JACQUEZ, et al.,

Defendants.

No. C 09-5221 RMW (PR)

ORDER OF DISMISSAL OF
CLAIMS AGAINST UNSERVED
DEFENDANTS WITHOUT
PREJUDICE

Plaintiff, a state prisoner proceeding pro se, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983. On May 18, 2010, the court issued summonses to named defendants. On October 25, 2011, the court requested the litigation coordinators at Pelican Bay State Prison to provide forwarding addresses of Sgt. Henderson, Charles Duncan, D. Dewitt, Correctional Officer J. Gonzalez, Correctional Officer Shaw, Correctional Officer F. Palaccio, D. Fabela, B. Jones, and J. Hernandez. In that same order, the court cautioned plaintiff that, "If no further information is available from the litigation coordinator, and if plaintiff fails to provide the requested information **within thirty days** of the filing date of this order, defendants Sgt. Henderson, Charles Duncan, D. Dewitt, Correctional Officer J. Gonzalez, Correctional Officer Shaw, Correctional Officer F. Palaccio, D. Fabela, B. Jones, and J. Hernandez will be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure." More than thirty days from the date of that order have passed, and plaintiff has not provided the court with

1 any further identifying or location information for any of the above named defendants.

2 Accordingly, defendants Sgt. Henderson, Charles Duncan, D. Dewitt, Correctional
3 Officer J. Gonzalez, Correctional Officer Shaw, and Correctional Officer F. Palaccio are
4 DISMISSED from this action without prejudice.¹

5 IT IS SO ORDERED.

6 DATED: HDFG


RONALD M. WHYTE
United States District Judge

28 ¹ Defendants D. Fabela, B. Jones, and J. Hernandez were previously dismissed.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RAUL UVALLES,

Plaintiff,

v.

FRANCISCO JAQUEZ et al,

Defendant.

Case Number: CV09-05221 RMW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 6, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Raul Uvalles T-59954
Pelican Bay State Prison
Housing: C9-106
P.O. Box 7500
Crescent City, CA 95532

Dated: March 6, 2012

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk